



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,517	11/29/2001	Dov Koren	111987.122 US2	6400

29989 7590 08/23/2006

HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2178

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,517

Applicant(s)

KOREN, DOV

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 134-292 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 134-145, 148-289 and 291 is/are allowed.
- 6) ☒ Claim(s) 290 and 292 is/are rejected.
- 7) ☒ Claim(s) 146 and 147 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/7/05, 10/28/05, 11/7/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 10/24/05 to the application filed on 11/29/01.
2. Claims 1-133 are canceled.
3. Claims 134-292 are pending in the case. Claims 134, 290-292 are independent claims.

Double Patenting

1. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

2. Claims 290 and 292 are objected to under 37 CFR 1.75 as being a substantial duplicate of claim 134. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
3. It is noted that claim 290 is the same method as claim 134. Claim 292, though recited as a graphical user interface, the subject matter is the same as in claim 134 where the table and controls are displayed, which means being displayed on a graphical user interface.

4. It is suggested to cancel claims 290 and 292 since the same claimed limitations are already recited and implied in claims 134.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 146-147 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 146 and 147, which are dependent on claim 134, it is contradictory since in claim 134, the first operation belongs to the set consisting of four operations: aggregation operation, filtering operation, charting operation, and hiding operation. On the other hand, claims 146 and 147 recite that the first operation is the sorting operation, which is not in said set.

Allowable Subject Matter

7. Claims 134-289, 291 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: displaying a plurality of first controls with a table of cells with values where in response to the user selection of any first control, a first operation in the first controls

belongs to the set consisting of four operations: aggregating, filtering, charting and hiding, is performed, is not disclosed in the prior art of record.

9. Claims 146-147 are objected to but would be allowable if rewritten to overcome the 112 rejection set forth above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al., Mining Tables from Large Scale HTML Texts, ACM July 2000, pgs 166-172.

Lo et al., TabSum : A Flexible and Dynamic Table Summarization Approach, 10-13 April 2000 IEEE, pages 628-635.

Iwamoto et al. (US 2001/0018694). Rao et al. (US 2002/0069221).

Thierschmidt (US 2002/0069226). Chen et al. (2002/0091733).

Bennett (US 2002/0143809). Arend et al. (US 2003/0229848).

Pruthi (US 2004/0015582). Leduc (US 6,675,351). Suzuki (US 6,687,875).

Conner et al. (US 6,779,152). McGarry (US 6,859,907). Weinberg et al. (6,883,136).

Conner et al. (US 6,889,359). Todd (US 6,986,099). Hagler et al. (US 4,520,457).

Ohta (US 5,420, 695). Kumakawa (US 5,425,138). Mogilevsky et al. (US 5,588,099).

Kogan et al. (US 5,809, 317). Inaki et al. (US 5,835,916). Giles et al. (US 6,437,812).

Toyokura et al. (US 5,915,258). Suzuki et al.(US 6,044, 383). Wallack (US 6,055,550).

Burch et al. (US 6,088,708). Pratley et al. (US 6,442,575).

Art Unit: 2178

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cong-Lac Huynh
Primary Examiner
Art Unit 2178
8/21/06